



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://ceo.lacounty.gov>

May 13, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

APPROVAL OF THIRD AMENDMENT TO THE GROUND LEASE AND OPERATING AGREEMENT WITH THE LOS ANGELES COUNTY FAIR ASSOCIATION (FIRST DISTRICT) (3 VOTES)

SUBJECT

Approval of the Third Amendment to the Ground Lease and Operating Agreement will provide the Los Angeles County Fair Association (Association), for a period of 15 years, with a credit of \$800,000 per year in annual rent due to the County, to support the Association's financing of the development and construction of a Trade and Conference Center on the fairgrounds property, known as the "Fairplex."

IT IS RECOMMENDED THAT YOUR BOARD:

1. Certify that the County, as a responsible agency under the California Environmental Quality Act (CEQA), has independently considered and reached its own conclusions regarding the environmental effects of the proposed project and the negative declaration adopted by the City of Pomona, as lead agency, determine that the document adequately addresses the environmental impacts of the proposed project, find that the County has complied with the requirements of CEQA with respect to the process for a responsible agency, and find that the project will not have a significant effect on the environment.
2. Approve and instruct the Chair of the Board to sign the Amendment No. 3 to the Ground Lease and Operating Agreement between the County of Los Angeles and Los Angeles County Fair Association to provide the Association with a credit of \$800,000 per year in annual rent due the County pursuant to the Agreement, for a

Board of Supervisors
GLORIA MOLINA
First District

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Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

period of 15 years, as the County's share of financing for a Trade and Conference Center on the Fairplex.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

For many years, the Association has conducted an annual County Fair for the benefit of Los Angeles County residents and visitors. The County owns the land, and the Association owns the improvements and operates the Fairplex under a long-term Ground Lease and Operating Agreement (Agreement).

The annual County Fair and other interim, non-Fair events have been operated and the facilities at the Fairplex have been maintained by the Association at no cost to the County. The revenue derived by the Association from Fair and non-Fair events provides financial support for the operation of the Fair, and is essential to the general maintenance, upkeep, repair, and improvement of the Fairplex; all of which enables the Association to continue to conduct the Fair in a manner that preserves the long tradition of the Fair and reflects positively on the County, its citizens, its agriculture, and its industry.

Based on the Agreement, the County receives a share of the revenue the Association generates through admission fees, agreements with vendors, and long- and short-term subleases of the Fairplex. The Agreement provides that the Association may use the Fairplex for interim events during times of the year when the Fair is not in operation to generate additional revenue in support of the Fair.

Furthermore, the Agreement permits the Association to construct new facilities at the Fairplex as it deems necessary to enhance the production of the Fair and interim events. The Association wants to construct a state-of-the-art trade and conference facility at the Fairplex. The new facility would enhance both the Fair and interim events on the property.

All funds currently available to the Association for reinvestment in the Fairplex come from the conduct of the Fair and non-Fair events. Due to the age of most of the improvements at the Fairplex, there is an ever-growing amount of deferred maintenance. According to the Association, as much as 20 percent of their budget is dedicated to financing these maintenance activities. Most of their construction funds go toward maintaining what exists. This leaves a limited amount of funds available to finance new facilities that will enable the Association to attract new business to the property and generate additional revenue.

The purpose of the recommended action is to credit the Association \$800,000 of annual rent due to the County for a period of 15 years to provide the Association with a portion of the required financing for the development and construction of the Center. Without the rent credit, the Association will not have sufficient funds to build the Center.

The County, as fee owner of the property, will gain title to the building at the termination of the Agreement. Currently, the term of the Agreement is set to expire on December 31, 2043, and we anticipate that the Association will exercise their option to renew the Agreement for two consecutive five-year terms. The County will also benefit from enhanced business, social and philanthropic endeavors in the community. During the Fair, the Center will be used for educational activities such as cultural diversity and environmental awareness. Year-round the Center will provide a venue for seminar, trade show and convention opportunities. Per the Association, the Center will support the not-for-profit educational foundations operated by the Association by providing a modern venue for special events, meetings and educational programming.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide the public with beneficial and responsive services (Goal 1). The Center will be used to enhance the Association's production of the annual Fair by providing state-of-the-art exhibit space to attract new types of events, businesses and customers to the Fair. Furthermore, approval of the project is consistent with the County Strategic Plan goal of fiscal responsibility (Goal 4) by investing in the public infrastructure.

FISCAL IMPACT/FINANCING

The total estimated project cost for construction of the Center is \$28.7 million and is funded through three sources: Federal funding in the amount of \$5.5 million from the Federal Economic Development Administration (EDA), a 2% Hotel Assessment from the City of Pomona in the amount of \$6.2 million, and Fair Association funds for the balance of the project in the amount of approximately \$17.0 million of which \$7.8 million is the net present value of the proposed County rent credit (\$800,000 annually for 15 years). The Federal government, through EDA grants, funded \$1.5 million of the \$3.2 million spent for the analysis and Phase I preparation of the site which were completed in 2005.

The Amendment (Attachment A) does not call for a payment by the County to the Association. Instead, the credit will come from annual rent due the County under the Agreement. The Association currently pays the County approximately \$1.0 million in annual rent increasing by 3.5% to 5.0% per year. The requested action provides for the County to contribute to the construction of the Center by crediting to the Association \$800,000 of the annual rent due for a period of 15 years (commencing 2008 with payment due on or before May 1, 2009), which is a nominal amount of \$12.0 million and has a net present value of approximately \$7.8 million at a 6% discount rate which is a reasonable mid-point, long-term projection of interest earnings to the Treasury Pool and costs of borrowing by the Association. The Association will be permitted to take the credit against rent due prior to making the annual payment required by the Agreement.

In consideration for the forgiveness of rent, upon completion of the Trade and Conference Center, the Association will be required to allow the County to have the use of the Center, or other parts of the property, for up to 20 days during each County fiscal year. The County will use the space for events such as the Treasurer and Tax Collector's biannual public auction of tax-defaulted property or County Fire Department examinations. The County will reimburse the Association for operating costs including the cost of supervision, custodial and security services, equipment and utilities associated with the use of the space for those days.

Based on independent economic studies provided by the Association, the construction of the project is estimated to generate the equivalent of 244 full-time jobs and \$9.7 million in wages to Los Angeles County workers during construction. The ongoing operation of the Center following completion of construction is expected to generate the equivalent of 46 full-time jobs and \$5.7 million in total economic output in the County. According to the economic studies (combining direct, indirect, and induced impact for the County, State, and nation) construction of the Center is expected to generate an economic impact of \$58.7 million during construction, and \$30.3 million annually from the ongoing operations. Upon completion of construction and reaching its expected level of operations, the Association expects the Center to generate an additional \$250,000 annually in revenue to the County.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The County is the fee owner of the property. The Association operates the property pursuant to the provisions of the Agreement dated January 20, 1988, as amended. Among the provisions in the Agreement are those that provide for the type and amount of rent to be paid by the Association to the County for the use of the property. The recommended action amends the rent provisions in the Agreement for the County to provide the Association with a credit of \$800,000 in annual rent for a period of 15 years as the County's contribution to the construction of the Center.

The Center will be an 85,000 square foot complex incorporating the conversion of an existing 36,000 square foot exhibit building with the development of 49,000 square feet of new construction. Functional space will be designed to offer a variety of room configurations ranging from a sit-down banquet capacity to large conference rooms, break-out classrooms and small meeting rooms. The Center will work in a complimentary fashion with the existing Sheraton Hotel, exhibit space and other existing facilities at the Fairplex.

The attached amendment will commence upon approval by the Board. The Association will manage all construction activities and will ensure that all capital improvements are in compliance with current ADA standards, and will meet all other applicable local, State and Federal regulations, codes and ordinances. The County will have no responsibility for the maintenance of the Center during the remaining term of the Agreement.

Honorable Board of Supervisors
May 13, 2008
Page 5

County Counsel has approved the Amendment as to form.

ENVIRONMENTAL DOCUMENTATION

On October 4, 2004, the City of Pomona, in its role as lead agency in matters pertaining to compliance with CEQA, adopted a negative declaration (Attachment B) amending its zoning ordinance relating to the Fairplex, authorizing certain uses, including trade and conference centers, without further discretionary review. In the County's role as a responsible agency, your Board must independently consider the environmental documents prepared by the lead agency and reach your own conclusions regarding the environmental effects of the proposed project. After having done so, it is recommended that your Board find that the project will not have a significant effect on the environment.

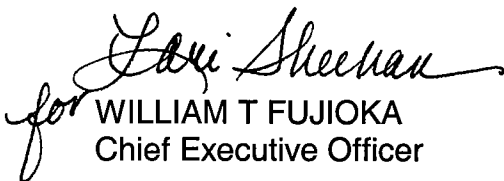
IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the proposed amendment will allow the Association to fund a capital project on the Fairgrounds to enhance the experience of residents and visitors of the County. The recommended action will result in a reduction of \$800,000 in annual rent paid by the Association to the County for a period of 15 years.

CONCLUSION

Please return one adopted copy of this letter and four signed originals of the amendment to the Chief Executive Office for further processing.

Respectfully submitted,


for WILLIAM T FUJIOKA
Chief Executive Officer

WTF:DL:JSE
MV:SVG:tlh

Attachments (2)

c: County Counsel
Auditor-Controller
Los Angeles County Fair Association

**THIRD AMENDMENT TO GROUND LEASE
AND OPERATING AGREEMENT**

THIS THIRD AMENDMENT TO GROUND LEASE AND OPERATING AGREEMENT (the "Amendment") is made and entered into as of the 13th day of MAY, 2008 by and between the COUNTY OF LOS ANGELES (the "County") and the LOS ANGELES COUNTY FAIR ASSOCIATION, a California non-profit mutual benefit corporation (the "Fair Association"), with respect to the following:

RECITALS

- A. The County, as fee owner and landlord, and the Fair Association, as tenant, are parties to that certain Ground Lease and Operating Agreement dated January 20, 1988, as amended January 28, 2000 and September 30, 2003 (collectively the "Ground Lease"). Pursuant to the Ground lease, the Fair Association leases that certain real property located in the City of Pomona, County of Los Angeles, State of California, and more particularly described on Exhibits A and B to the Ground Lease (the "Property").
- B. A principal purpose and intent of both the County and the Fair Association in entering into the Ground Lease was and is to conduct an annual county fair in the County of Los Angeles which is attended by hundreds of thousands of residents of and visitors to the County.
- C. The County and the Fair Association collectively desire to further amend the Ground Lease to provide for the construction of a Trade and Conference Center ("Center") on the Property, which would serve the educational, social, and community interests of the County and the Fair Association.
- D. The annual Los Angeles County Fair, an event which serves the public interest of residents in Los Angeles County and the greater Southern California region, would be greatly enhanced by the development of the Center.
- E. The return on investment, job creation and economic, social and public benefits to be provided by the Center both during its construction and through its year-round operations, would benefit the residents of Los Angeles County.
- F. The Fair Association, in its role as stewards of the Los Angeles County Fairgrounds, would maintain and operate this Center without any ongoing obligation of the County.

72581
Supplement No. 2

- G. The Fair Association has asked the County, and the County has agreed to credit to the Association a portion of the annual rent paid to the County pursuant to Article 3 of the Ground Lease in order to support an approximately \$8.0 million share of the anticipated \$28.7 million in construction costs.

AGREEMENT

IN CONSIDERATION OF the foregoing recitals and the mutual covenants set forth below, the County and the Fair Association agree as follows:

1. Effective Date. This Amendment shall become effective upon approval by the Los Angeles County Board of Supervisors.

2. Amendments to Ground Lease. the Ground Lease shall be amended in the following respects:

- (a) The following shall be added at the end of Section 3.01 of the Ground Lease:

“Notwithstanding the foregoing or anything to the contrary set forth in Sections 3.02 through 3.07.d, commencing with Lease Year (as defined in Section 2.04 of the Ground Lease) starting on January 1, 2008 (Lease Year 2008) the Fair Association shall receive a credit, on an annual basis, against rent otherwise payable pursuant to this Ground Lease for a period of 15 years in the annual amount of \$800,000.”

- (b) The following shall be added as Section 5.10 of the Ground Lease:

“5.10. County Special Use of the Property. Upon completion of the Trade and Conference Center ("Center"), the County shall be entitled to special use of the Center, or a portion thereof, or other parts of the Property mutually agreeable between the parties, which agreement shall not be unreasonably withheld, for County-sponsored or related events (hereinafter "Special Use") at a reduced cost, for up to 20 days during each County fiscal year, which commences on July 1st and ends the following June 30th. By way of example, Special Use events would include but not be limited to the biannual Treasurer and Tax Collector Public Auction of Tax-Defaulted Property or County Fire Department Examinations. Special Use shall be subject to each of the following conditions:

a. Special Use events shall be non-competing with respect to events produced or booked by Fair Association and shall not conflict, as to time or manner, with events produced or booked by Fair Association.

b. There shall be no Rent charge by the Fair Association for the Special Use of the Center or other parts of the Property mutually agreeable between the parties; however, County shall be responsible to pay for (or to reimburse Fair Association for) the customary operating costs for the use of the Property including but not limited to supervision, custodial and security services, utility costs, equipment rentals and set-up/breakdown costs associated with the use of the space for the days used. The Fair Association shall provide parking passes to the County staff conducting the Public Auctions and the administrators of any exams held at the Property. The Fair Association shall be entitled to charge its customary rates for parking at the Property for all other individuals. All food and beverage service at such events must be in accordance with Fair Association's food and beverage contracts covering the Property.

c. Special Use shall be on a space available basis and times and dates shall be booked not more than 180 days in advance through the Fair Association.

d. Each Special Use event shall be no longer than six (6) calendar days in duration, including move-in, set-up, knock-down and move-out.

e. The County shall not be entitled to schedule Special Use events in the Center during the running of the Fair or within thirty (30) days prior to the opening of the Fair or within thirty (30) days after the close of the Fair. The County shall not be entitled to schedule Special Use events in other parts of the Property during the running of the Fair or within ten (10) days prior to the opening of the Fair or within ten (10) days after the close of the Fair.

f. Special Use shall not include the use of any commercial development project or portion thereof on the Property, any permanently occupied facility on the Property (such as the Child Development Center, the NHRA Museum, the Millard Sheets Gallery, NHRA Pomona Raceway or the horse racing track or barns) any subleased facility, other than the Center, or any hotel operated on the Property. If the Center is subleased, the County shall retain the right to use the Center in accordance with this Article.

g. No Special Use shall violate any exclusive sponsorship agreement covering the Property or any portion thereof to which Fair Association is a party. Upon request, Fair Association shall provide to the County information as to those exclusive sponsorship agreements then in effect.

- (c) Section 9.01.b of the Ground Lease shall be deleted in its entirety and replaced with the following:

“9.01.b. County Indemnity. County agrees to indemnify, defend and hold harmless Fair Association, its agents, officers and employees from and against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever, including, but not limited to, bodily injury, death, personal injury or property damage arising from or connected with those County operations described in Sections 5.01.g(iv) and 5.10 only, except for any act or omission attributable to Fair Association’s negligence or wrongful act or omission.”

3. Termination Right. The County may, in its sole discretion, terminate this Amendment for the following reasons:

- (a) If the design of the Center is not commenced within six months following the Effective Date (as defined in Paragraph 1 above), the County, upon giving not less than one month written notice to the Fair Association, shall have the right to terminate this Third Amendment and upon demand by the County, the Association agrees to repay within 30 days of termination all rent credited under this Amendment.
- (b) If construction of the Center is not commenced within two years following the Effective Date, the County, upon giving not less than one month written notice to the Fair Association, shall have the right to terminate this Third Amendment and upon demand by the County, the Association agrees to repay within 30 days of termination all but \$250,000 of the rent credited under this Amendment.
- (c) If the Association does not receive a Certificate of Occupancy for the Center within five years following the Effective Date, the County, in its sole and absolute discretion, may determine that the Association has not performed in accordance with the Amendment, and upon giving not less than one month written notice to the Fair Association, shall have the right to terminate this Third Amendment and upon demand by the County, the Association agrees to repay within 30 days of termination all but \$500,000 of the rent credited under this Amendment.

The parties agree to cooperate in good faith to extend any of the above-mentioned deadlines if the Fair Association can provide substantial justification for not meeting the deadline.

4. Counterparts. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute a single instrument. It shall not be necessary for both parties to execute the same counterpart(s) of this Amendment for this Amendment to become effective.

5. Ground Lease in Effect. The County and the Fair Association acknowledge and agree that other than as expressly provided for herein, all other terms and provisions of the Ground Lease, as amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the County and the Fair Association have executed this Third Amendment to the Ground Lease and Operating Agreement to be effective as of the date determined pursuant to Paragraph 1 above.

COUNTY OF LOS ANGELES

By *Yvonne B. Burke*
YVONNE B. BURKE
Chair, Board of Supervisors

LOS ANGELES COUNTY FAIR
ASSOCIATION, a California non-profit
mutual benefit corporation

By *Michael D. Seder*
MICHAEL D. SEDER
Vice President Finance and
Chief Financial Officer

ATTEST:

SACHI A. HAMAI, Executive Officer-
Clerk of the Board of Supervisors



I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By *Donna Blane*
Deputy

By *Donna Blane*
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By *Raymond G. Fortner, Jr.*
Deputy

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

11

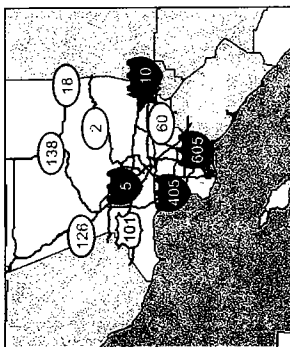
MAY 13 2008

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Exhibits:

A – Proposed Center Site

Fairplex Proposed Trade and Conference Center Site



Legend

- Cultural Points**
 - Bus Station
 - City Hall/Civic Center
 - College/University
 - Courthouse
 - Fire Station
 - CHP
 - Hospital
 - Library
 - Police Station
 - Post Office
 - Railway Station
 - Metro Station
 - Elementary/Middle School
 - Junior High/High School
 - Elementary/Middle School
 - Junior High/High School
 - Sheriff Station
 - Elementary/Middle School
 - Junior High/High School
 - Elementary/Middle School
 - Junior High/High School
- Other Features**
 - Dirt Road
 - Local Roads
 - Secondary Road
 - Minor Road
 - Dirt Road
 - Alley
 - Rapid Transit
 - Freeway Ramp
 - Railroad
 - Rapid Transit
 - Trail
- Primary Roads**
 - Freeways & Highways



Scale: 1:4,989

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

ORDINANCE NO. 4012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA APPROVING CODE AMENDMENT CA 04-003 AMENDING SECTION .435-.438 OF THE ZONING ORDINANCE PERTAINING TO THE "F" (FAIR) ZONE

WHEREAS, proposed Code Amendment CA 04-003 has been duly initiated by the City of Pomona;

WHEREAS, on July 28, 2004 the Planning Commission conducted a public hearing to consider Code Amendment CA 04-003;

WHEREAS, based upon evidence and discussion presented at the July 28, 2004 public hearing the Planning Commission recommended that the City Council deny Code Amendment CA 04-003

WHEREAS, the City Council of the City of Pomona, after giving notice thereof as required by law, held a public hearing on September 20, 2004, concerning Code Amendment CA 04-003 and carefully considered all pertinent testimony and the staff report offered in the case as presented; and

WHEREAS, the City Council has duly considered the proposed changes to the Zoning Ordinance as well as the impact of the changes on the general welfare of the City and the consistency of the changes with the General Plan.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Pomona as follows:

SECTION 1. Pursuant to Section .15070 of the Guidelines for Implementation of the California Environmental Quality Act, a Negative Declaration, which is attached here as Exhibit "A", has been prepared and reviewed, finding that the proposed project will not have a significant effect on the environment.

SECTION 2. Section .435-437 of the Pomona Zoning Ordinance is hereby repealed in its entirety, see Exhibit "B" and replaced with the following Section 3.

SECTION 3 Section .435-.438 of the Pomona Zoning Ordinance shall read as follows:

Sec. .435. "F" the fairgrounds zoning district intent and purpose.

The fairgrounds zoning district is intended to provide for the use of the public fairgrounds in a manner so as to not create smoke, gas, odor, dust, sound, vibration, soot or lighting or other nuisance in any degree which might be termed obnoxious or offensive to persons residing in or near the Fairplex and is intended to allow a range of public entertainment, exhibition, commercial,

conference, equine, and other events and uses on a year-round basis as previously permitted by Ordinance No. 2450. Notwithstanding any other provision herein, the uses, structures and events permitted and conditionally permitted in the F zoning district are subject to the application of all applicable city building permit and grading permit review, and that no temporary use permit shall be required for permitted uses under Section .436 hereof. The City's design review process shall apply to conditionally permitted uses under Section .437 hereof.

Sec. .436. Uses permitted.

No building or structure or land shall be used, and no building or structure shall be designed, erected, structurally altered or enlarged except as provided herein.

1. The following fair related uses shall be permitted within this zone without any permit except for building and grading permits as applicable:
 - a.) Child Care.
 - b.) Commercial uses related to other permitted uses in structures less than 30,000 sq. ft.
 - c.) Consumer Shows.
 - d.) Drag Racing.
 - e.) Exhibitions.
 - f.) Fairs and Festivals.
 - g.) Filming and photographic shoots.
 - h.) Financial Services.
 - i.) Fireworks Displays.
 - j.) Food Service including banquets, catering and concessions.
 - k.) Horse Exhibition, Sales, Racing, Wagering including Satellite Wagering.
 - l.) Live Entertainment.
 - m.) Livestock, Pet and other animal exhibitions, training and sales.
 - n.) Meetings and Conferences.
 - o.) Outdoor Recreation including but limited to camping, picnics, rallies, social events and sporting events.
 - p.) Religious, educational, charitable, community and political activities.
 - q.) Testing and demonstration of mechanical equipment and devices to the extent that such uses do not violate the City's noise ordinance.
 - r.) Trade Shows.
 - s.) Business Support services for permitted uses.
 - t.) Facility and Vehicle maintenance for permitted uses.
2. The following fair related structures may be maintained, altered, expanded or erected within this zone without any permits except for building and grading permits as applicable:

- a.) Auditoriums and Meeting Halls.
- b.) Banks and ATMs.
- c.) Bars and drinking facilities.
- d.) Campgrounds.
- e.) Caretaker and/or employee residential quarters.
- f.) Child Care Centers.
- g.) Community and Cultural Centers.
- h.) Concert and Performing Art Theaters, both indoor and outdoor.
- i.) Drag Racing Facility.
- j.) Equestrian Facilities including horse race tracks, equine hospitals, off-track wagering facilities, paddocks, sales pavilions, show rings, trails and water quality systems.
- k.) Exhibit Buildings.
- l.) Governmental Buildings and sponsored uses.
- m.) Grandstand/Suite Complex.
- n.) Libraries and Museums.
- o.) Livestock Stables.
- p.) Offices for Administrative purposes.
- q.) Off-Street Parking.
- r.) Outdoor Public Address Systems except as restricted by Section .437.1(a).
- s.) Parking Structures.
- t.) Pipeline and Utility Lines.
- u.) Public Safety Facilities.
- v.) Recreational Vehicle (RV) Parks.
- w.) Restaurants.
- x.) Signs and Signage, onsite only.
- y.) Trade & Conference Centers.
- z.) Tents and Temporary Structures.
- aa.) Warehouses.

Sec. .437. Uses permitted by conditional use permit.

- 1. The following uses shall be permitted only upon the granting of a conditional use permit:
 - a) Use of outdoor public address systems between 10 P.M. to 9 A.M. at times other than during the regular fair season.
 - b) Convention Centers.
 - c) Sports Arenas.
 - d) Wireless Communication Facilities (subject to Section .5809-15 of the Zoning Ordinance.
 - e) Hotels and motels.
 - f) Heliports.
 - g) Amateur/ham radio antenna greater than 35 ft. in height.

- h) Commercial/Retail developments in excess of 30,000 sq.ft.
 - i) Residential developments except for caretaker/employee quarters.
 - j) Other uses not specifically listed.
2. Before approving any such conditional use permit, the Planning Commission shall make the findings required in Section .580 of the Zoning Ordinance.
 3. The fairgrounds delineated for conditional use permit applications shall include all buildings and parking areas used by the subject use and the amount of permit fee to be determined by this area. (Ord. No. 2450. § 1 (part).)
 4. The conditionally permitted use listed above shall also comply with the requirements of the provisions of the California Environmental Quality Act (CEQA) guidelines, as applicable.

Sec. .438. Design Review Compliance.

For all conditionally permitted uses listed in Section .437 that involve the physical development of permanent structures, said structures shall be subject to site design and architectural review and approval by the Community Development Director prior to the issuance of any building permit for said structure or use.

SECTION 4. The City Clerk shall attest to the passage and adoption of this ordinance, causing it to be posted as required by law, and it shall be effective thirty (30) after its adoption.

APPROVED, PASSED AND ADOPTED this 4th day of October, 2004.

ATTEST:

CITY OF POMONA

ELVIRA M. SANIOS
City Clerk (Acting)

EDWARD S. CORTEZ
Mayor

APPROVED AS TO FORM:

ARNOLD M. ALVAREZ-GLASMAN
City Attorney

FILED

Notice of Determination

PLANNING DIVISION OCT 05 2004
04 NOV 28 11 14 AM CONNYA MCCORMACK COUNTY CLERK

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency) Planning Division
City of Pomona
505 S. Garey Avenue
Pomona, CA 91766
DEPUTY J. BAKER

x County Clerk
County of Los Angeles
12400 E. Imperial Hwy
First Floor, Room 1007
Norwalk, CA 90650



Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the
Public Resources Code.

Code Amendment CA 04-003

Project Title

State Clearinghouse Number (If submitted to Clearinghouse)	Richard Belmudez Lead Agency Contact Person	909-620-2191 Area Code/Telephone/Extension
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1101 W. McKinley Avenue, Pomona, Los Angeles County
Project Location (include county)

Project Description:

Code Amendment CA 04-003 amending section .435 - 438 of the City of Pomona Zoning Ordinance
pertaining to the "F" (Fairground) Zone.

This is to advise that the City Council of the City of Pomona has approved the above described project on
October 4, 2004 and has made the following determination regarding the above described project:
(Date)

1. The project [] will [x] will not have a significant effect on the environment.
2. [] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[x] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [] were [x] were not made a condition of the approval of the project.
4. A statement of Overriding Consideration [] was [x] was not adopted for this project.
5. Findings [x] were [] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the
General Public at:

Matthew Rose
Signature (Public Agency)

October 5, 2004
Date

Planning Manager
Title

Date received for filing at OPR:

THIS NOTICE WAS POSTED
ON OCT 05 2004
UNTIL NOV 05 2004

04 0012060

FILED
OCT 05 2004
SONNY B. MCCORMACK, COUNTY CLERK
J. Baker
I. BAKER DEPUTY

**CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding**

NAME AND ADDRESS OF THE PROPONENT:

City of Pomona
505 South Garey Avenue
Pomona, CA 91766

PROJECT TITLE/LOCATION:

Code Amendment CA 04-003
F (Fairground) Zone

PROJECT DESCRIPTION:

Code Amendment CA 04-003 amending Section .435 -.438 of the City of Pomona Zoning Ordinance pertaining to the "F" (Fairground) Zone.

FINDINGS OF EXEMPTION:

1. An initial study has been conducted by this lead agency, which has evaluated the potential for this project to cause an adverse effect, either individually or cumulatively, on wildlife resources. For this purpose, wildlife is defined as "all wild animals, birds, plants, fish, amphibians, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability." (Section 711.2 Fish and Game Code)
2. There is no evidence that the proposed project would have any potential for adverse effect on wildlife resources due to the following circumstances:

The environmental setting is urban and the proposed project involves a code amendment to codify a number of uses that have traditionally been allowed in the F zone that are not addressed in the current zoning ordinance. Uses will be classified into the following three categories: "permitted uses, "new structures," and conditionally permitted uses." The initial study conducted for the project identified no adverse impacts to wildlife resources.

CERTIFICATION:

I hereby certify that the City of Pomona, as lead agency, has made the above findings and that the proposed project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Planning Official: Matthew Bassi

Title: Matthew Bassi, Planning Manager

Lead Agency: City of Pomona

Date: October 5, 2004



CITY OF POMONA

PLANNING COMMISSION REPORT

Meeting Date: July 28, 2004

Case No. 04-003

To: PLANNING COMMISSION

Subject: CODE AMENDMENT CA 04-003 AMENDING ZONING ORDINANCE SECTIONS .435-438 PERTAINING TO PERMITTED AND CONDITIONALLY PERMITTED USES IN THE F (FAIRGROUND) ZONE.

BACKGROUND

The F zoning district is applied to the land leased, owned or possessed by Fairplex. The intent of the F zone is to allow a range of public entertainment, exhibition, commercial convention, equine, and other events and uses on a year-round basis. The fairgrounds zoning district is intended to provide for the use of the public fairgrounds in a manner so as to not create smoke, gas, odor, dust, sound, vibration, soot or lighting or other nuisance in any degree which might be termed obnoxious or offensive to persons residing in or conducting business in either this or any other zoning district of the City.

The Planning Commission discussed the F zone during the review of the Development Code. However, when the Development Code was reviewed by the City Council several issues were brought up by the City Council. Specifically, many of the traditionally permitted uses conducted at the Fairplex were not listed in the code update and there was concern that the zoning was not consistent with the long-term vision of the Fairplex. Since the Development Code has not been completely approved by the City Council, staff decided to take the F zone section out of the Development Code and process it separately,

DISCUSSION

The primary purpose of the code amendment is to codify a number of uses that have traditionally been allowed in the F zone. The proposed structure of the revised "F" zone is such that uses will be classified into the following three categories: "permitted uses," "new structures," and "conditionally permitted uses". Permitted Uses consists of uses that are proposed within existing facilities. New Structures are uses that are proposed to be permitted by right in new or expanded structures. Conditionally permitted uses are those uses that require approval of a conditional use permit.

July 28, 2004

CA 04-003

Page 2 of 2

A copy of the text is included in the attached draft Planning Commission Resolution No. 9264 for the Planning Commission consideration. As previously mentioned the intent of the F zone is to allow a range of public entertainment, exhibition, commercial convention, equine, and other events and uses on a year-round basis. Staff has worked with representative of the Fairplex to establish a comprehensive list of the different uses that are consistent with that intent and that will compliment the existing operations of the Fairplex.

RECOMMENDATION

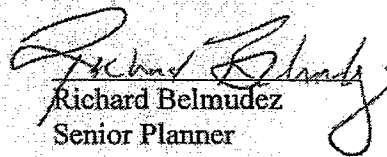
Staff recommends that the Planning Commission approve Resolution No. 9264 recommending City Council approval of Code Amendment 04-003.

Respectfully submitted,

Prepared by,



Matthew Bassi
Planning Manager



Richard Belmudez
Senior Planner

ATTACHMENTS:

- A - Draft Resolution No. 9264
- B - Negative Declaration
- C - Existing Zoning Ordinance Section .435
- D- Copy of the July 16, 2003 Minutes of the Planning Commission Meeting (Development Code Discussion pertaining to F zone)

\\Economic Development\Planning\Master Planning\Staff\Richard\F zone\staff report.doc

INITIAL STUDY

ENVIRONMENTAL CHECKLIST FORM

1. Project Title	CA 04-003
2. Lead Agency Name and Address	City of Pomona 505 South Garey Avenue Pomona, California 91766
3. Contact Person and Phone Number	Richard Belmudez (909) 620-2191
4. Project Location	Citywide
5. Project Sponsor's Name and Address	City of Pomona 505 South Garey Avenue Pomona, California 91766
6. General Plan Designation	Citywide
7. Zoning	Citywide
8. Description of Project	Code Amendment to modify permitted and conditionally permitted uses in the F (Fairground) zone.

Code Amendment 04-003; 2 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

I. LAND USE AND PLANNING. Would the proposal:				
a) Conflict with general plan designation or zoning?				X
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project				X
c) Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)?				X
d) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?				X

II. POPULATION AND HOUSING. Would the proposal:				
a) Cumulatively exceed official regional or local population projections?				X
b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?				X

Code Amendment 04-003; 3 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

c) Displace existing housing, especially affordable housing?				X
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III. GEOPHYSICAL. Would the proposal result in or expose people to potential impacts involving:				
a) Seismicity: fault rupture?				X
b) Seismicity: ground shaking or liquefaction?				X
c) Seismicity: seiche or tsunami?				X
d) Landslides or mudslides?				X
e) Erosion changes in topography or unstable soil conditions from excavation, grading or fill?				X
f) Subsidence of the land?				X
g) Expansive soils?				X
h) Unique geologic or physical features?				X

IV. WATER. Would the proposal result in:				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?				X
b) Exposure of people or property to water related hazards such as flooding?				X
c) Discharge into surface				X

Code Amendment 04-003; 4 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

	waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?				
d)	Changes in the amount of surface water in any water body?				X
e)	Changes in currents, or the course or direction of water movements?				X
f)	Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?				X
g)	Altered direction or rate of flow of groundwater?				X
h)	Impacts to groundwater quality?				X
V. AIR QUALITY. Would the proposal:					
a)	Violate any air quality standard or contribute to an existing or projected air quality violation?				X
b)	Expose sensitive receptors to pollutants?				X
c)	Alter air movement, moisture, or temperature, or cause any change in climate?				X

Code Amendment 04-003; 5 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

d) Create objectionable odors?				X
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VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:				
a) Increased vehicle trips or traffic congestion?				X
b) Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
c) Inadequate emergency accesses or access to nearby use?				X
d) Insufficient parking capacity on-site or off-site?				X
e) Hazards or barriers for pedestrians or bicyclists?				X
f) Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?				X
g) Rail, waterborne or air traffic impacts?				X

VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:				
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects,				X

Code Amendment 04-003; 6 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

	animals, and birds)?				
b)	Wildlife dispersal or migration corridors?				X
c)	Locally designated species (e.g. heritage trees)?				X
d)	Locally designated natural communities (e.g. oak forest, (e.g. oak forest, coastal habitat, etc.)?				X
e)	Wetland habitat (e.g. marsh, riparian and vernal pool)?				X

VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:					
a)	Conflict with adopted energy conservation plans?				X
b)	Use non-renewable resources in a wasteful and inefficient manner?				X

IX. HAZARDS. Would the proposal involve:					
a)	A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?				X
b)	Possible interference with an emergency response plan or emergency evacuation plan?				X
c)	The creation of any health hazard or potential health				X

Code Amendment 04-003; 7 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

hazard?				
d) Exposure of people to existing sources of potential hazards?				X
e) Increased fire hazard in areas with flammable brush, grass, or trees?				X

X. NOISE. Would the proposal result in:				
a) Increases in existing noise levels?				X
b) Exposure of people to severe noise levels?				X

XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:				
a) Fire protection?				X
b) Police protection?				X
c) Schools?				X
d) Maintenance of public facilities, including roads?				X
e) Other governmental services?				X

XII. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems, or substantial alterations to the following utilities:				
a) Power or natural gas?				X

Code Amendment 04-003; 8 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

b)	Communications systems?				X
c)	Local or regional water treatment or distribution facilities?				X
d)	Sewer or septic tanks?				X
e)	Storm water drainage?				X
f)	Solid waste disposal?				X

XIII. AESTHETICS. Would the proposal:					
a)	Affect a scenic vista or scenic highway?				X
b)	Have a demonstrable negative aesthetic effect?				X
c)	Create light or glare?				X

XIV. CULTURAL RESOURCES. Would the proposal:					
a)	Disturb paleontological resources?				X
b)	Disturb archaeological resources?				X
c)	Affect historical resources?				X
d)	Have the potential to cause a physical change, which would affect unique ethnic cultural values?				X
e)	Restrict existing religious or sacred uses within the potential impact area?				X

Code Amendment 04-003; 9 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

XV. RECREATION. Would the proposal:				
a)	Increase the demand for neighborhood or regional parks or other recreational facilities?			X
b)	Affect existing recreational opportunities?			X

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.				
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal eliminate important examples of the major periods of California history or prehistory?			X
b)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?			X
c)	Does the project have impacts that are individually limited, but cumulatively considerable?			X

Code Amendment 04-003; 10 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)					
d)	Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Code Amendment 04-003; 11 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

Land Use and Planning	Transportation/Circulation	Public Services
Population and Housing	Biological Resources	Utilities and Service Systems
Geophysical	Energy/Mineral Resources	Aesthetics
Water	Hazards	Cultural Resources
Air Quality	Noise	Recreation
Mandatory Findings of Significance		

DETERMINATION.

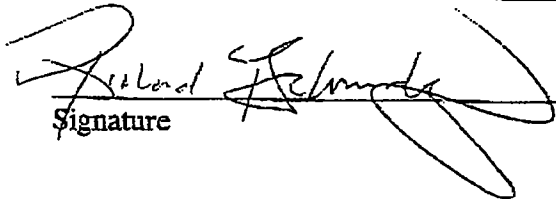
(To be completed by the Lead Agency.)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated."	

Code Amendment 04-003; 12 of 12	Potentially Significant Impact	Potentially Significant Unless mitigated	Less Than Significant Impact	No Impact
Issues (and Supporting Information Sources):				

An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
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Signature

Date 7/7/04

City of Pomona

Richard Belmudez

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**INITIAL STUDY CHECKLIST SUPPLEMENTAL DISCUSSION
FOR CODE AMENDMENT CA 04-003**

I. LAND USE AND PLANNING.

- a. No Impact. The proposed project will not impact or conflict with the General Plan or the Zoning designation. The F zone is intended to allow a range of public entertainment , exhibition, commercial conference, equine and other events and uses on a year round basis. The proposed code amendment pertains to permitted and conditionally permitted uses within the F zone. The nature of the permitted and conditionally permitted uses is such that they are consistent with the intent of the zone and complimentary the existing operations of the Fairplex.
- b. No Impact. The proposed project will not be in conflict with any environmental plans or adopted policies.
- c. No Impact. The proposed project will not impact any agricultural soil, farmland or affect any surrounding incompatible land uses.
- d. No Impact. The proposed project will not impact or disrupt or divide the physical arrangement of any established community.

II. POPULATION AND HOUSING.

- a. No Impact. The proposed project will not create an increase in population.
- b. No Impact. The proposed project will not create a demand for additional housing.
- c. No Impact. The proposed project will not displace existing affordable housing.

III. GEOPHYSICAL.

- a-h. No Impact. The proposed site is not located near any Fault zone according to the Pomona General Plan Geotechnical Map. The applicant is proposing changes to the permitted uses within the F (Fair) zone. Due to the existing development of the site, no conditions have been identified in past records or studies, which would indicate unstable earth conditions or changes in geologic substructures. The proposed project will not have an impact on the surrounding area. The project site is not located within a fault zone area according to the Pomona General Plan Geotechnical Map, and no other conditions have been identified in past records or studies that indicate unstable earth conditions or changes in geological substructures. Therefore, there is no identified potential for

the project to expose people or structures to adverse effects due seismic ground shaking, and no mitigation is required.

IV. WATER.

- a. No Impact. The proposed project will not change the absorption rates, drainage patterns, or amount of surface runoff from the subject site, in that the subject site is currently developed. In order to develop any of the newly permitted uses, the applicant is required to provide drainage and grading plan for review and approval to the Building Division, prior to the issuance of the any building permit.
- b. No Impact. The proposed project will not expose people or property to water related hazardous.
- c. No Impact. The subject site will discharge surface water due to the type of commercial use. However, the proposed expansion will require a drainage plan in order to capture any discharged water from entering into the City's drainage facility.
- d. No Impact. The proposed project will not increase the amount of surface water in any water body.
- e. No Impact. The proposed project will not change the current course or direction of water movement.
- f. No Impact. The proposed project will not affect the quantity of ground water.
- g. No Impact. The proposed project will not alter the direction or rate of flow of groundwater.
- h. No Impact. The proposed project will not impact the quality of groundwater within the City.

V. AIR QUALITY.

- a-b. No Impact. The proposed project will not generate additional air emissions and dust in that there is no construction at this time. The project will not expose the surrounding area to pollutants, which may affect the quality of air.
- c. No Impact. The proposed project will not alter air movement, moisture, or temperature, or cause any change in climate.
- d. No Impact. The proposed project will not create objectionable odors to the

surrounding properties.

VI. TRANSPORTATION/CIRCULATION

- a. No Impact. The proposed project will not generate air emissions or cause deterioration of ambient air quality through increased vehicle trips. New uses will be confined to the existing Fairplex facility that is designed to accommodate any new trip generation.
- b. No Impact. The proposed project will not create hazards or safety problem due to the design of the intersection.
- c. No Impact. The proposed project will not impact emergency access or access to nearby uses. The uses will be confined to the existing Fairplex facility, which maintains adequate emergency access from the surrounding arterial streets.
- d. No Impact. Any new uses will be required to provide the required number of parking spaces for the proposed expansion.
- e-g. No Impact. The proposed project will not impact the existing transportation system, alter rail or air traffic, alter the pattern of movement of people or create traffic hazards for bicyclists or pedestrians.

VII. BIOLOGICAL RESOURCES.

- a-e. No Impact. The proposed project will not change the diversity or number of animal species nor will it reduce the number of endangered animal live. The proposed project will not change the diversity or number of local plant species nor will it reduce the number of endangered plant live within the community. The project site is located within a highly urbanized area, and the site itself has been highly disturbed with previous and existing development. There are no natural drainage courses on or adjacent to the site. The site does not contain species identified as candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife. There are no identified riparian habitats or other sensitive natural communities, federally protected wetlands or wildlife migratory corridors in or adjacent to the project site. Therefore, there is no identified potential for the project to impact biological resources.

VIII. ENERGY AND MINERAL RESOURCES

- a-b. No Impact. The proposed project will not impact or conflict with adopted energy conservation plans.

IX. HAZARDS.

- a-e. No Impact. The proposed project will not cause any explosion or the release of hazardous substances.

X. NOISE

- a. No Impact. The proposed use will not exceed the level of noise permitted by the City Code.
- b. No Impact. The proposed project will not expose people to severe noise levels.

XI. PUBLIC SERVICES

- a. No Impact. The proposed project will not create a need for new or altered fire protection.
- b. No Impact. The proposed project will not require new or additional police protection.
- c. No Impact. The project will not increase the need for additional classrooms or schools.
- d. No Impact. The project will not have an effect or result in a need for new or altered public facilities.

XII. UTILITIES

- a-f. No Impact. The location of the existing building will not cause any alteration to the existing utility systems so as to result in a substantial demand for new utility systems.

XIII. AESTHETICS

- a. No Impact. The proposed project will not affect any scenic vistas or highways.
- b. No Impact. The proposed project will not have a negative impact on the surrounding properties and passing motorists along Garey Avenue, in that there is no new construction proposed within this change of zone.
- c. No Impact. The proposed project will not impact the surrounding properties due to light or glare from the proposed change of zone.

XIV. SOCIAL/CULTURAL

- a-c. No Impact. The proposed project will not impact or disturb the physical or aesthetic effect to prehistoric or historic building, structure or object.
- d. No Impact. The proposed project will not physically change the unique ethnic or cultural value nor will it restrict existing religious or sacred uses within the surrounding community.

XV. RECREATION

- a-b. No Impact. The proposed project will not affect any recreational or open space areas near the subject site.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

- a. No Impact. The proposed project would not affect the habitat of fish or wildlife species, cause fish or wildlife population which would drop below self-sustaining levels, threaten to eliminate plant or animal community, or reduce or restrict the range of rare or endangered plants or animals. Likewise, the project would not eliminate examples of major periods of California history or prehistory.
- b. No Impact. As documented in the findings of the previous sections, the disadvantage to both short-term and long-term environmental goals from this project will not impact the surrounding area.
- c. No Impact. The potential impacts of this project, both individually and cumulative, will not have a negative impact on other projects.
- d. No Impact. No substantially direct or indirect adverse environmental effects on human beings can be expected from this project.

Prepared by the City of Pomona Planning Division

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